

### Why the EU can nonetheless be good for Cyprus

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Veröffentlichungsversion / Published Version

Zeitschriftenartikel / journal article

#### Empfohlene Zitierung / Suggested Citation:

Diez, T. (2002). Why the EU can nonetheless be good for Cyprus. *JEMIE - Journal on ethnopolitics and minority issues in Europe*, 2, 1-17. <https://nbn-resolving.org/urn:nbn:de:0168-ssoar-62126>

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## **Why the EU Can Nonetheless Be Good for Cyprus**

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Issue 2/2002

# Why the EU Can Nonetheless Be Good for Cyprus

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*Membership negotiations between the Republic of Cyprus and the European Union (EU) have so far had at best a rather ambiguous effect on the Cyprus conflict. While there was a last-minute push to enter face-to-face negotiations, the initial official Turkish and Turkish-Cypriot reaction was moving away from, and not towards a solution, and it is not clear at the time of writing whether a solution can be found within the scope of the current talks. Therefore, the 'catalytic effect' that the membership negotiations were initially proposed to have failed to materialize, which was due to a number of misguided assumptions about the conflict and the role of the EU therein. Nonetheless, this paper argues that the EU can have a positive role to play in the process towards a lasting and peaceful solution in Cyprus if both sides join the EU. This positive role is due to the postmodern features of the EU as an institutional and discursive framework that would allow actors to reconceptualize their identities and relations between each other. Although this framework does not automatically and in itself bring about change, the history of European integration illustrates the potentially subversive character of integration that makes the EU a particularly good framework within which the Cyprus conflict can be settled.*

## Introduction: why 'nonetheless'?

The island of Cyprus has had many crucial moments in its history, but the current period will in the future almost certainly be seen as one of them.<sup>1</sup> Since the European Union (EU) has accepted the Republic of Cyprus' membership application and opened membership negotiations, the parameters of the Cyprus conflict have been changing (for a useful overview, see Brewin 2000). In that sense, the negotiations themselves have already acted as a catalyst to the conflict – it is still unclear, however, what the outcome of this catalytic effect will be.

The notion of a catalytic effect of membership negotiations was first suggested by the then foreign minister of the Republic of Cyprus, Ioannis Kasoulides, and Greek Foreign Undersecretary, Yiannos Kranidiotis, in early 1998 (Athens News Agency Bulletin, 98-02-26). For a while, it became a crucial part of the rhetoric justifying the candidacy, both on the Greek-Cypriot and on the European Union side. Yet, as I will argue in section 2, the prevalent conceptualisations of this catalytic effect have rested on a number of rather problematic assumptions, not least because they failed to adequately take the ethnopolitics of Cyprus into account. As I have argued elsewhere at greater length, the impact of the EU has therefore been at best ambiguous (see Diez 2002b).

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<sup>1</sup> This article is a much revised, written version of a talk I have given first to the members of the Association of Cypriot, Greek and Turkish Affairs at the Friends House, London, 14 June 2002. Its arguments are in part developed from a previous project dealing the impact of EU membership negotiations on the Cyprus conflict, funded by Carlsbergfondet and the Copenhagen Peace Research Institute, and published as Diez (2002a).

However, this is not to say that the EU does not have a great potential to assist a transformation of the Cyprus conflict and the identities embedded in it towards a less conflictual co-existence and a move away from the rigid lines of division between Greek and Turkish Cypriots. This is why I want to argue that the EU can *nonetheless* be good for Cyprus, despite that is, the policies of the past and the objections raised against them.

This positive potential has largely to do, I argue in section 3, with the EU's nature as a postmodern, or what John Ruggie (1993) once called 'multi-perspectival' polity. It is the framework of such a polity that provides institutional arrangements for co-existence and a discursive field that enables a lasting transformation of identities. From the start, it has to be stressed, however, that there is no automatic mechanism in the social world. Ultimately, changes have to be brought about by the people in Cyprus themselves, and there we find a number of potential obstacles that I address in section 4. This section refers to the Cyprus conflict as an essentially modern conflict, and therefore juxtaposes the 'postmodern union' to the 'modern conflict'. A few caveats are in order regarding this contrast.

Firstly, I do not want to suggest that the EU can unequivocally be described as 'postmodern', in any sense of the term – in fact, I do not think that the novel kind of polity that has developed in the form of the EU can be captured by a single concept – what the EU is, depends a lot on how we see it. Therefore, my analysis in section 3 rests on a particular reading of the EU, stressing particular features that contribute to the potentially positive impact. Secondly, oppositions such as this one are hardly ever discrete. The essence of my argument is perhaps best captured by a movement from, in Ulrich Beck's terms, who himself borrowed them from Wassily Kandinsky, a politics of 'either/or' to a politics of 'and' (Beck 1993). While 'either/or' can be associated with modernism, and 'and' with postmodernism, the latter ism builds on the former, and whenever we try to find one or the other in social or political life, we encounter both (and therefore an 'and' in itself). I am using both terms here to make a particular point, highlighting a transformative potential, and not to make claims about the 'true' nature of the Cyprus conflict. Indeed, my argument is partly based on the multiplicity of narratives about Cyprus, and what I would see as the desirability of their co-existence.

Eventually, my argument boils down to what one may call the subversive character of integration, which I take up by way of conclusion in section 5. European integration has often been seen as an instrument to achieve so-called national interests, but while some of them may indeed have been achieved, very often integration has had transformative effects beyond the control of

those taking the initial steps. This may be Cyprus' chance: that integration may subvert the lines that are currently dividing the island.

### **I. The 'catalytic effect' and its problems**

In his speech at the opening of the membership negotiations between the EU and Cyprus, the then Foreign Minister of the Republic of Cyprus, Ioannis Kasoulides, argued that the negotiations "will act as a catalyst, inducing all sides to work for an early solution" (Republic of Cyprus 1999). The 'catalytic effect' has since become a standard argument in favour of continuing negotiations, both in politics, especially within European Union circles, and among observers. In fact, the idea that the prospect of EU membership would have a positive impact on developments on the island had already been expressed by the European Commission in its 1993 opinion on the Republic's membership bid, in that the Commission was "convinced that the results of Cyprus's accession to the Community ... would help bring the two communities on the island closer together" (European Commission 1993: No. 46).

While the two statements by Kasoulides and the Commission may sound similar, on reflection they refer to two different processes. For Kasoulides, on the one hand, the catalyst lies in the negotiations themselves, pulling the two sides towards an agreement. The Commission, on the other hand, seems to presuppose a settlement. It talks of 'Cyprus's accession' as a whole, and it is also difficult to see how membership of one part only would 'help bring the two communities together'. The changing meaning of the catalytic effect between those two statements is symptomatic for a transformation of the assessment of Cypriot EU membership within the Union. While at first, the reception of the membership application could at best be described as lukewarm, and a solution to the conflict was seen as a prerequisite to accession, the sequence was increasingly reversed throughout the 1990s. Today, as membership negotiations come to a close, it seems very likely that Cyprus will, in whatever form, be part of the next enlargement round. The enlargement commissioner, Günther Verheugen, has stressed throughout his tenure that a settlement, while desirable, cannot be a precondition for accession, a position clarified by the Helsinki European Council in December 1999 (European Commission 2000).

The EU's dilemma is that whereas the catalytic effect *as originally envisaged by the Commission*, as I argue in section 3, stands a good chance to come true, it has, as the candidacy was accepted and negotiations went ahead, increasingly been seen to presuppose the catalytic effect as defined by Kasoulides, which has not materialized. Although community leaders (or presidents,

depending on the reader's point of view) Clerides and Denktash have for the first time since summer 1997 been meeting face to face behind closed doors in Nicosia following their two dinners together in each of their homes in December 2001 (see "Back to the negotiating table", *Cyprus News* No. 148: 1), the general sense among observers is that it is highly unlikely that these meetings will lead to an agreement before the close of membership negotiations. This is hardly the 'early solution' envisaged by Kasoulides. Instead, the barometer of the conflict initially swung the other way when Turkey and the Turkish Republic of Northern Cyprus announced in 1998 that they will follow every step towards integration between each other that is taken between the Republic of Cyprus and the European Union (and its member Greece) (see Ministry of Foreign Affairs of the Republic of Turkey 1999: 98). Leaving aside that given the degree of *de facto* integration already in existence, this was hardly a threat to send shivers down the spines of European Union policy-makers, it was not the sort of statement that would show an inducement towards finding a quick settlement either.

Why, then, has the catalytic effect not worked? There are a number of reasons for the failure of membership negotiations to bring about a solution. Most of them are ultimately connected to a neglect of the role of ethnopolitics on the island. Policy-makers within the EU underestimated that, for the Turkish Cypriots in particular, identity matters, and that they see their identity threatened by the Greek Cypriots. Instead, the catalytic effect was to a large extent supposed to work through the prospect of economic prosperity achieved by a united island within the EU; it was an economic carrot (see Coughlan 1992: 36; Redmond and Pace 1996: 432). In that picture, the EU was a neutral ground that offered Cyprus a way out of its troubled history. At the same time, Turkey was thought to recognize its isolation within the international community and to alter its stance on Cyprus in order not to let its relationship with the Union deteriorate.

All of these assumptions were problematic from the outset. It is true that GDP per capita in the Turkish Republic of Northern Cyprus (TRNC) is far below the figure in the Republic of Cyprus (see Güven-Lisaniler and Rodriguez 2002: 189). However, argue TRNC officials, that is because of the *de facto* embargo following the 1994 European Court of Justice (ECJ) decision that all goods exported to the EU have to be certified by the legal authorities, which means administrative officials in the South, as the TRNC is not recognized by any state bar Turkey, and therefore not a legal authority in the eyes of the Court. That aside, economic security is important to Turkish Cypriots, but it is tied up with societal security, or safeguarding one's identity (on societal security, see Wæver and Kelstrup 1993; Buzan et al. 1998), and it is here that the history of the early days of the

Republic is invoked to demonstrate the threat of systematic discrimination within the marketplace, buying up of Turkish Cypriot property and Hellenification of the island. The EU can hardly be seen as a neutral place, given Greek membership and the entanglement of British imperial history and military present. In the eyes of Turkish-Cypriot officials, EU membership of the Republic of Cyprus means *enosis* (i.e. union with Greece) through the back door (see e.g. *Northern Cyprus Monthly*, 31 May 1995; *Turkish Cypriot Press and Other Media*, Cyprus PIO, 01-04-02). And while some in the north see Turkey as occupiers, as the demonstrations against budget cuts led by the ‘This Land Is Ours’ campaign in 2001 demonstrated, few dispute that it is down to Turkey that Turkish Cypriots still exist as a recognizable community on the island. Similarly, a statement issued in August 2002 by 86 non-governmental organizations in the TRNC calling for a settlement and EU membership may have included indirect criticisms of Denktash (and was consequently condemned by the government), but it included a number of aspects, such as two component states at the foundation of a new Cypriot Partnership State on the basis of political equality, which are not different from the official position (see “The Common Vision of the Turkish Cypriot Civil Society”, August 2002; *Sunday Mail* (Cyprus), 18 August 2002).

To say that identity matters is not to take identities as undisputed givens. The role of ethnopolitics, in Cyprus as elsewhere, is the reinscription of identities through a discourse of safeguarding those very identities. Thus, it is important to recognize that the division between Greek and Turkish Cypriots is only one possible expression of identity on the island. A sizeable group on both sides would see themselves as Cypriots full-stop. In the north, Turkish settlers and their descendants are often seen as aliens and a threat to Turkish-Cypriot identity, while others see Turkish Cypriots as part of a larger group of Turks. The catalytic effect fell into a double trap in this respect. On the one hand, as argued above, it did not take the prevailing discourses seriously. On the other hand, EU officials chose to, or perhaps had little choice other than to accept Clerides and Denktash as representatives of Greek and Turkish Cypriots respectively, thereby, however, reifying the very identities that lie at the core of the Cyprus conflict.

Against this reification of identities, a much more promising alternative is to take the identity concerns seriously while trying to strengthen those identity conceptions that do not build on an either/or between two opposed communities. Whatever a potential future solution to the conflict comprises in institutional terms, it will, as the collapse of the 1960 constitution in Cyprus and since then the collapse of a series of other peace agreements in the Middle East, Northern Ireland and

elsewhere have shown, have to be sustained by a long-term transformation of the identities embedded in the conflict. And it is in this respect that the EU may indeed act as a catalyst.

## **II. The promise of a postmodern polity**

In the rhetoric of policy-makers, European integration is often described as a ‘force for peace’, and this is linked to an argument about the war-torn past as the other against which Europe’s current, peaceful identity is constructed (Wæver 1998). This is a politically important discursive move because it provides legitimacy for integration. However, to what extent integration as such has actually contributed to the peace enjoyed by the member states in the past half-century is more difficult to assess, since it is difficult to isolate the factor of integration from other potential influences such as prosperity or democracy. While it has surely played an important role in the general picture, the impact on concrete conflicts presents us with an ambiguous picture. In many of Germany’s border regions, borders have been successfully transformed from dividing lines into lines of identification in the form of so-called ‘Euregios’, administrative units to promote trans-border regional life. In the case of Gibraltar, recent developments indicate a change of attitudes on the level of political elites towards concepts such as shared sovereignty, met by opposition among the majority of the people living in Gibraltar. Similarly, Northern Ireland remains a trouble spot, where identity-definition and militancy have not changed everywhere, despite open borders and full integration. And while many EU member states such as the United Kingdom, but also Spain, have started to de-centralize and strengthen their regions in the 1990s, some regional independence movements have stuck to strong, exclusive conceptions of sovereignty and identity and consequently not given up their often violent fight.

Yet, while this may represent a rather mixed bag in terms of successful EU influence, it is important to note that peaceful transformations have been set within the context of integration and the accompanying forms of regionalization on a sub-state and trans-border level, whereas other cases have become failures in this respect *despite*, not because of, the change of identity constructions and institutional developments set off by integration. Rather than a direct, causal influence on the transformation of border conflicts, the EU and European integration in general should therefore rather be seen as an indirect influence providing a context that enables, but does not necessitate such a transformation. If the EU is to become a catalyst in Cyprus, it is not because EU membership will automatically solve the problems on the ground, but because the institutional



and discursive framework that the EU provides allows for the re-articulation and re-presentation of identities.

To a large extent, this is because the EU can be characterized as a 'postmodern polity' (Ruggie 1993). 'Postmodern' in this sense has more to do with developments in architecture and the arts than with a particular epistemological position often identified as such in the social sciences. The term comprises a movement from the linear, rational, unambiguous and functional associated with modernity to the overlapping, playful, multiple and pastiche-like (Harvey 1989). Leaving aside the issue of whether the terms 'modern' and 'postmodern' are apt characterizations and whether they are at all to be seen in an opposition, it is easy to see why the ideal-type of the territorial, Westphalian state, with its absolute notions of sovereignty, its link between territory and identity, and its clear-cut and heavily protected borders, should qualify as a 'modern' and the EU, with its overlapping authorities, multiple decision-making centres and layers of identity, as a 'postmodern' polity.

Yet, how can the 'postmodern' quality of the EU provide a framework that would constitute a positive framework for a solution of the Cyprus conflict? I suggest the following six elements to be crucial in this respect:

(1) *The EU allows for multiple representations.* One of the problems that Cyprus has been facing in the past is who should represent the island internationally. As European Union policies and legislation have a direct and profound impact on life within its member states, the question of representation is even more important within the EU context. But instead of making things more complicated, the issue of representation could rather become one aspect of the catalytic effect of EU membership. For one, representatives of sub-national entities can now represent their member state in the Council, as long as they are authorized to do so on behalf of the entire member state, which will usually be the case in matters primarily concerning those entities. This has been the route taken by the highly devolved Belgium (on the so-called 'Belgium model' for Cyprus, see Emerson and Tocci 2002), but it has also been used by Germany. The German Länder have also been among the first to open their own representations in Brussels in order to lobby policy-makers, and have been followed by an increasing number of regional offices (see Kohler-Koch 1996). In line with this, the Committee of the Regions, with representatives from sub-member state regions within the EU, was established in Maastricht and has consultative powers in policies affecting the regions (Art. 263-5 TEC). In summary, there are a number of institutional provisions for the representation of multiple

communities from one member state, and the problems of representation, far from being unique to Cyprus, are 'normal' to many member states.

(2) *Within the EU, sovereignty is not seen as an absolute concept.* In the practice of the international society, sovereignty has never been as absolute as the theoretical discussion of the concept often implies (Krasner 1999). Nonetheless, this 'hard' version of sovereignty is important because of its discursive significance, which means that it can often stand in the way of solutions, as in the case of Cyprus. The insistence on sovereignty there stands in contrast to the explicit commitment to the sharing and pooling of sovereignty within the EU. This is the case for both internal and external sovereignty. The direct validity of EU regulations within its member states, while at the same time member state (and in many cases sub-state) parliaments retain significant legislative powers according to the principle of subsidiarity (Art. 5 TEC), undermines any absolute definition of internal sovereignty, while externally, the practice of CFSP has by now led to a high degree of foreign policy coordination, both formally and informally, open disputes about issues such as Iraq notwithstanding (Glarbo 2001).

(3) *The EU can foster a sense of multiple identities.* The notion of shared sovereignty itself goes hand in hand with the acknowledgement of multiple identities. Over the past two decades, the EU has introduced a range of symbols and institutions that foster such a sense of multiple identities. European citizenship is explicitly constructed as an additional, not as a competing layer of citizenship (Art. 17 (1) TEC). European passports, while similar in size and colour, still bear the national symbols of the member state. On official occasions, both the member state and the European (and in many instances also the regional) flag are being flown. Car licence plates bear both the EU symbol and the national identification, and again, in many countries, a regional symbol is added. When crossing a border within the Schengen countries, the only remnant of the former border posts are signs with both the EU and the national symbol on them. The often ridiculed practice of having all official languages of member states as official languages of the Union may be expensive and impractical, but it is another expression of the recognition of identities within the EU, and it has often been pointed out recently that Turkish will become such an official language when Cyprus joins.

(4) *Special EU funds can be utilized to undermine borders.* Reducing the significance of borders between member states has always been a core ethos of European integration, symbolized in the early demonstrations of the European Movement at border posts. The Single Market and the Four Freedoms guaranteed within the Treaty establishing the European Communities (freedom of movement of goods, people, capital and services, Art. 39, 43, 49, 50 TEC) have obviously changed the nature of borders within the EU significantly, but there has also been a much more active approach to bring together those who were formerly separated by a state border, and to revitalize regions that used to be peripheral in terms of their infrastructure. The main programme in this respect is the so-called Interreg-programme, which provides financial assistance to a large number of so-called Euregios, trans-border regions within EU territory or on the EU's own borders. But in addition to this, the European Commission has also been engaged at grassroots level in Northern Ireland, supporting projects with a mission for peace and reconciliation through a special Programme for Peace and Reconciliation (PEACE I and II). Notable in this context is that the EU has, in the context of its support for the so-called Nicosia 'Masterplan', sponsored the intercommunal project of a pedestrian zone for Nicosia, which, however, is still divided by the *de facto* border and lost much of its significance by being constructed by the two communities, each on their own side of Nicosia (on the Masterplan, see Demetriades 1998).

(5) *Legal provisions safeguard communities against discrimination.* One of the main concerns voiced by some Turkish Cypriots is that the atrocities committed against members of their community in the early 1960s, as well as social and economic discrimination before 1974 could be repeated once the island is unified. While it is obvious that EU membership cannot ultimately prevent any physical violence (which, it should be added, has also been, and could also be committed against Greek Cypriots), the EU does have extensive legal means to prevent and combat any form of discrimination on the basis of ethnicity. Member state legislation and practice must be non-discriminatory to conform with Art. 12-13 TEC. Member states persistently violating these rules can be suspended (Art. 6-7 TEU). Art. 12-13 TEC guarantee non-discrimination directly, and are complemented by a number of directives to ensure equal opportunities. On a number of occasions, discrimination cases have been brought to the European Court of Justice, which has ruled against state and private actors that were found guilty of discrimination.

(6) *Transition periods and derogations have in the past demonstrated the EU's sensitivity to community identities.* Finally, another concern often raised by Turkish Cypriots in particular is that despite those legal guarantees, they run the risk of being marginalized by the Four Freedoms in combination with the, on average, superior financial power of Greek Cypriots, which could result in a threat to the Turkish-Cypriot identity through a Hellenification of the island. Yet again, the EU has in the past taken care to avoid these situations. Apart from the financial support for communities mentioned above, it has on some occasions allowed not only transition periods but also permanent derogations from the Treaties, as long as this did not undermine the spirit of the Treaties as a whole. The most often cited case in this respect are the Åland Islands, whose predominantly Swedish-speaking population has secured a special status within the Finnish state after the First World War (see Joenniemi 1997). When Finland became a member of the EU, the Union recognised this special status, for instance through a derogation from the right of EU citizens to own property in other member states than their own. Similar arrangements could be envisaged for Cyprus, although this would obviously not solve the issue of refugee property.

These characteristics of the EU are likely to impact on Cyprus in a number of different ways. On the one hand, their influence may come through the political elite or the public at large. On the other hand, some of the pathways of EU impact rest on direct, active and conscious involvement by the actors, while others, arguable even more important, are happening much more 'under the surface' and involve slow and often unintended processes of identity and discursive change. Four paths seem to be most promising:

(1) *Direct utilization of the framework.* Some of the elements of the framework provided by the EU constitute resources that can directly be used by a variety of actors to pursue their aims in line with the peaceful transformation of the conflict. On one level, these resources are financial and would benefit bi-communal groups that have been working for peace, reconciliation and communication across community borders for a considerable time. While these groups have, of course, already access to a variety of funds, the changed legal framework would enhance their status in society and make the organization of bi-communal events much easier. On another level, resources are discursive. As is the case in other member states, politicians can use the framework provided by the EU to justify policies that would otherwise be more difficult to justify. While this is often problematic from a democratic point of view, in the case of Cyprus, it would allow to break through

nationalist sentiments in parts of the electorate, provided that the electorate as a whole remains in support of EU membership.

(2) *Direct EU involvement.* EU actors can of course also influence transformation processes directly themselves. One aspect of doing so lies in making available the material resources of the EU framework. Setting up a peace and reconciliation programme such as in Northern Ireland could for instance channel money to support those actors who work for a transformation of identities on the island. Another aspect is the direct engagement with actors, through advise, cooperation and more or less direct political pressure. This strategy is, however, severely hampered by the EU's embeddedness in the conflict itself, and is therefore liable to fall into the same trap as the original conceptualisation of the catalytic effect. However, such direct involvement may pay off if used towards non-official representatives, whereas the influence on officials through this path is traditionally greatest during membership negotiations, although this has hardly been the case in Cyprus because of the lacking neutrality.

(3) *Socialization.* A more indirect impact is through the socialization of the political elite in particular. Social constructivist literature argues that participants in institutions change their identity through the interactions within those institutions, although there is of course also a feedback into the nature of the institutions themselves. Above all, actors tend to explicitly or implicitly accept the basic norms of an institution even in cases where these norms were not initially on the minds of the actors involved. This is the more likely the more compatible those norms are with already existing norms within the domestic context, as research on Europeanization of identities has shown (Risse 2001; Marcussen et al. 2001). However, even in cases where there is initial resistance, norms may eventually take hold in the long run with a new generation of leaders if they are at least recognized on paper, as research on the domestic implementation of human rights demonstrates (Risse et al. 1999). Therefore, there is at least a good chance that the political elite of Cyprus, or parts of it, will in the long term accept norms such as shared sovereignty and multiple identities.

(4) *Change of discursive rules.* A variation of the socialization argument is that there are different discursive rules in the EU context and in national contexts about what can and what cannot be said, and how statements have to be phrased in order to be accepted as valid. Rules on the EU level may, however, spill over to the national context, as actors find themselves more and more active in

various European contexts. The power of discursive rules is that they both enable and restrict us to speak, but that we have to, and often do without reflection, follow them as we are bound up with a discursive community and on the one hand want to be understood, while on the other hand we do not have control over how our statements are read by others. The following example illustrates this point. A permanent representative to the EU of a current member state told me when interviewed in April 1998 that one of her main difficulties was that her government and people in Brussels speak different languages, and that what would be considered appropriate to say 'at home' is not acceptable within the EU institutions. This is of course only one example, but it is a forceful one, especially since the answer was not prompted by any question about the influence of language. Ultimately, the change of discursive rules could have a 'trickle-down' effect so that in this particular case, the languages of the government and of the EU circles would no longer fall apart.

To reiterate, none of these paths comes about automatically. Even the 'passive' processes of socialization and discursive change ultimately rest on the transformation of actual practices. The framework opens a window of opportunity in this regard, and in many ways puts actors under pressure, but on the one hand, there will always be resistances to these paths of influence, and on the other, the relationship between a framework (or 'structure') and agency is never a one-way street, and in the interaction between the two, there is always a chance that the framework itself may change. It is therefore important to have a look at the potential resistances to the impact of the EU. These are largely connected to what one may call the 'modern' features of the Cyprus conflict.

### **III. The obstacles of a modern conflict**

Compared with the postmodern features of the EU, the Cyprus conflict shows rather different characteristics, which define it as a modern conflict. Among these characteristics are that the conflict is based on two exclusive identities, Greek v. Turkish Cypriots, and that sovereignty is often conceptualized as a zero-sum game: it either rests with the island as a whole (the official Greek-Cypriot position), or it rests with the individual communities (the official Turkish-Cypriot position). Both of these characteristics are discursive. Ironically, Cyprus never really was sovereign, given the influence of the guarantor powers Greece, Turkey and Britain as laid out in the Treaties of Guarantee, which bears some resemblance to the status of the Allied Powers in Western Germany before unification in 1990, which characterized the Federal Republic of Germany as a 'semi-sovereign' state (Katzenstein 1987). In addition, there is, for various reasons, a substantial number

of Greek, Turkish, British and UN military on the island. Nonetheless, or perhaps because of this, sovereignty is a central reference point at the heart of the Cyprus conflict.

It is, of course, this modernism of the conflict that the EU framework promises to help to overcome. The resistance to such a transformation stems from the fact that the modern characteristics of the conflict are rather more deeply entrenched than is often assumed. Two factors stand out in this context:

(1) *The modernist discourse pervades not only the elite.* In a lot of news commentary on ‘ethnic’ conflicts as well as in many works of peace research, it is assumed that people could live together if it was not for the political elite. This is often based on personal experiences with individuals who do not share the dominant identity conception. Such a tendency to differentiate between the elite and the people is even present in some recent conflict research inspired by poststructuralism (see, for instance, Campbell 1998). It is true that in the case of Cyprus, too, one finds a lot of people who define themselves as Cypriots rather than Greek or Turkish Cypriots, who would prefer a united island under any conditions, and who often have contacts with individuals from the other side, mostly in the context of the many bi-communal activities on the island. It is also true that these alternative identity conceptions are often neglected in conventional analyses of the conflict, which is deeply deplorable, since, as argued above, it is these groups and individuals who would be vital actors to bring about a change in the identity conception if supported by the EU framework. But this is only one side of the story. The other side is that there are also a lot of people who share the sentiments of their elite and who vote in large majorities for the parties that articulate exclusive conceptions of identity and sovereignty. The case of Gibraltar is instructive in this context, since it undermines the traditional notion of elite versus public: in Gibraltar, it is the EU-socialized political elite of the member states concerned who proposes shared sovereignty, while the majority of the people insists on British identity and sovereignty. While Cyprus is not Gibraltar, one will have to recognize that two generations have by now been socialized into seeing their neighbours as a threat to their existence, rather than into the norm of multiple and overlapping identities.

(2) *While the modernist discourse constitutes identities, these also underpin interests that in turn reproduce the modernist discourse.* A second source of resistance is that discourse is bound up with interests. One particular problem in the case of Cyprus is the issue of property restitution. The Loizidou case, in which a Greek Cypriot woman won her case against Turkey at the

European Court of Human Rights (case 40/1995/435/514), entitling her to a property in the north that she had lost in the course of the 1974 military intervention as well as to substantial financial compensation, illustrates not only that any solution to the Cyprus conflict will have to find some way to deal with the stumbling block of property, but also that property claims are fraught with political interests, as they not only make claims about a personal right, but are also used in the wider political context to re-inscribe particular notions of identity and sovereignty. The Loizidou case was as much about property as it was about Turkey illegally invading northern Cyprus, and confirming the unity of the Republic of Northern Cyprus. There is, therefore, a circular relationship between the modernist discourse and those interests: the latter are only possible on the basis of the former, but at the same time, through their articulation, they also reproduce the modernist discourse.

One might argue that this discussion has potentially left out one major obstacle towards a resolution in Cyprus, namely the involvement of other parties, such as the three guarantor powers, and especially Turkey. However, there is a need to distinguish between the process of finding a formal solution, and the larger question of the sustainability of such a solution. The ‘postmodernization’ of the conflict, although interlinked with the former, is clearly concerning the latter. Whether or not Turkey is an obstacle for an agreement is a contested issue that cannot be adequately addressed here – any assessment of this issue will in any case depend on the observer’s perspective. Instead, the argument here is that even if an agreement is reached, it must be underpinned by lasting societal transformations if it is going to be sustainable.

The main problem with these obstacles is the circularity that they introduce into the argument: it is the modern features of the conflict that the EU framework would help to overcome, yet the modern features are so embedded in the prevailing discourse that they pose significant obstacles to the working of the EU framework in the first place. How can this circle be overcome? The answer lies in the subversive character of the EU framework, and it is to this subversive character that I will turn to by way of conclusion.

#### **IV. The subversive character of integration**

The argument put forward in this article is that while the EU *as an actor* has at best had an ambiguous impact on the Cyprus conflict, the EU *as a framework* provides the potential to act as a catalyst for a lasting transformation of the Cyprus conflict through a process of



‘postmodernization’. While the success of the EU as a framework will largely depend on its use by the actors involved, in the long run, it can also have an indirect effect on both the actors themselves and the larger discursive and social context in which they are embedded, as detailed in section 3 above. Perhaps the most important feature of this influence is that it is not consciously enacted, and that it is not taking place in the open. Instead, it undermines those positions that present themselves as obstacles to a lasting transformation, and can therefore, although only in the long run, break through the circularity of conflict and conflict resolution outlined towards the end of the previous section. The EU framework is, in short, a subversive framework.

There are a number of historic examples for the subversive character of integration, such as the inability of the British Government to control the outcome of the Single Market initiative, or the impact that the non-discrimination clause in Art. 141 TEC would have on gender equality in the European Union (Pierson 1998: 51-2). In all of these cases, the outcome was of course brought about by concrete actors, but it was the process of integration itself that enabled these actors to achieve their aims.

A very concrete example of the subversive potential of the EU in the context of Cyprus is the effect that integration will have on the *de facto* border. Ultimately, EU membership allows this border to be recognized and undermined at the same time, since the *acquis communautaire* contains a series of provisions, not least the Four Freedoms, that reduce the day-to-day significance of borders. Even transition periods and derogations will not do away with this important effect of integration on borders, which is why the impact of the EU framework is not dependent on a particular kind of formal solution to the conflict, as long as both parts become EU members.

Of course, the problem is that as it currently stands, the northern part of Cyprus may become a member *de jure*, but not *de facto*, which will prevent the potential of the EU framework to be realized. At this stage, however, we do not know where the double-track negotiations about resolution and membership will end. All the analyst can do is therefore to point to possible points of departure for a peaceful future on the island, and as I have attempted to demonstrate in this contribution to the debate, the EU can still provide such a catalytic function, despite the decisions of the past.

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